

[REPUBLIC ACT NO. 6603, October 23, 1972]

AN ACT GRANTING BICOL TELEPHONE AND TELEGRAPH, INC. A FRANCHISE TO ESTABLISH, OPERATE AND MAINTAIN TELEPHONE SYSTEM AND RADIO TELEPHONE STATIONS IN THE PROVINCES OF ALBAY AND SORSOGON.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Subject to the provisions of the Constitution, and the provisions of Act Numbered Three thousand eight hundred and forty-six, entitled "An Act providing for the regulation of radio stations and radio communications in the Philippine Islands, and for other purposes"; Commonwealth Act Numbered One hundred forty-six, known as the Public Service Act, and their respective amendments, and other applicable laws, there is hereby granted to Bicol Telephone and Telegraph Incorporated, hereinafter referred to as the "grantee" a franchise to establish, install, operate and maintain in the provinces of Albay and Sorsogon, public telephone system for domestic services with the authority to receive and transmit messages, impressions, by means of electricity, electromagnet waves or any other kind of energy force, variations or impulses howsoever conveyed, transmitted or radiated through other medium and to communicate from within the grantee's station or stations which right and privileges shall continue to be in force during the time that the Government has not established similar services at the places selected by the grantee, but shall not exceed twenty-five years from the date of the approval of this Act and for such purposes and to charge and to receive compensation therefor by tolls, and charges.

SEC. 2. Subject to the limitations and procedure prescribed by law, the grantee is authorized to exercise the right of eminent domain, insofar as may be reasonably necessary to further the establishment and efficient maintenance and operation of its telephone systems. The grantee is authorized to construct, maintain, and erect poles, structures, string wires, build conduits, to make excavation, lay cables, and to construct, maintain and use such other approved and generally accepted means of electrical conduction in, on, over, or under the public roads, government rights of way, lands, bridges, rivers, waters, streets, lanes, alleys, avenues, sidewalks in the provinces, where the grantee's telephone system is located: *Provided*, That poles erected by the grantee shall be of such a height of at least ten feet above the level of the ground, providing a height of at least fifteen feet in crossing roads or streets, and shall be so placed as not to be a danger to public safety, and any public place, highway, street, lane, alley, avenue, sidewalk or bridge disturbed, altered or changed by reason of the erection of poles, or other supports, or the laying underground of wires or other conductors, or of conduits, shall be repaired and replaced in a workmanlike manner by said grantee, its successors or assigns, to the satisfaction of the Secretary of Public Works and Communications. Should the grantee, its successors or assigns, after ten days notice from said authority, fail,

refuse or neglect to replace any Part of a public place, road, highway, street, lane, alley, avenue, sidewalk or bridge altered, changed or disturbed by said grantee, its successors or assigns, then the Secretary of public Works and Communications shall have the right to have the same repaired and placed in good order and condition at the cost and expense of the grantee, its successors or assigns.

SEC. 3. The grantee may install, maintain and operate radio-telephone equipment to furnish an economic medium of communications in and between the provinces of Albay and Sorsogon and between the grantee's telephone system to other local telephone systems. The radiotelephone equipment shall not be used to transmit telegraphic messages for hire.

SEC. 4. The grantee shall supply telephone service in said provinces, where it may have established a local telephone exchange, to any applicant within thirty days after the date of his application, up to the limit of the capacity of the telephone system of said grantee: *Provided*, That in case the point at which the telephone service is to be supplied is more than five hundred meters from the local exchange lines operated by said grantee, the latter shall not be obliged to furnish said service, unless the applicant for telephone service defrays the actual expenses for the poles and wires and Installation thereof necessary for such service and in such case the Public Service Commission may extend the time which the grantee must furnish such services beyond the said period of thirty days.

SEC. 5. This franchise shall continue for a period of twenty-five years from the date the first of said stations shall be placed in operation and granted upon the express condition that the same shall be begun within one year from the date of the approval of this Act and be completed within two years from said date.

SEC. 6. This franchise shall not take effect nor shall any powers thereunder be exercised by the grantee until the Secretary of Public Works and Communications shall have allotted to the grantee the frequencies and wave lengths to be used, so selected to avoid interference to existing radio stations and to permit the expansion of the grantee's services.

SEC. 7. A special right is reserved to the President of the Philippines in time of war, rebellion, public peril, calamity, disaster or disturbance of peace or order to cause the closing of the said stations or to authorize the temporary use and operation thereof by any department of the Government upon payment of just compensation to the grantee for the use of said stations during the period when they shall be so operated.

SEC. 8. The grantee shall hold the national, provincial, and municipal governments of the Philippines harmless from all claims, accounts, demands, or actions arising out of accidents or injuries, whether to property or to persons, caused by the construction or operation of the stations of the grantee.

SEC. 9. The grantee shall keep a separate account of the gross receipts of the business transacted by it in the Philippines and shall furnish to the Auditor General and the Treasurer of the Philippines a copy of such account not later than the thirty-first day of January of each year for the preceding year. All the books and accounts of the grantee pertaining to its business shall be subject to the official inspection of the Auditor General or his authorized representatives, and the audit and approval of